IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

WP(C).No. 34501 of 2007(G)

PETITIONERS:
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1. P.R.SARALA
   STENO TYPIST, HEAD OFFICE,
   KERALA STATE HORTICULTURAL PRODUCTS
   DEVELOPMENT CORPORATION,
   POOJAPPURA,
   THIRUVANANTHAPURAM.

2. P.K.SHAJI,ASSISTANT GARNER,
   REGIONAL PRODUCTION CENTRE
   KERALA STATE HORTICULTURAL PRODUCTS
   DEVELOPMENT CORPORATION,
   PALKULANGARA,THIRUVANANTHAPURAM.

3. V.SADASIVAN,
   PEON,REGIONAL PRODUCTION CENTRE
   KERALA STATE HORTICULTURAL PRODUCTS
   DEVELOPMENT CORPORATION,
   PALKULANGARA,THIRUVANANTHAPURAM.

4. P.R.MURALEEDHARAN
   PEON, BEEKEEPING TRAINING CENTRE & CONSORTIUM,
   KERALA STATE HORTICULTURAL PRODUCTS
   DEVELOPMENT CORPORATION,KALLIMMEL
   P.O.MAVELIKKARA.

5. T.R.MOHANDAS,
   DRIVER,REGIONAL PRODUCTION CENTRE
   KERALA STATE HORTICULTURAL PRODUCTS
   DEVELOPMENT CORPORATION,KAKKANADUU,
   ERNAKULAM.

6. K.K.SURESH BABU,
DRIVER,REGIONAL PRODUCTION CENTRE
KERALA STATE HORTICULTURAL PRODUCTS
DEVELOPMENT CORPORATION,
KAKKANADUU, ERNAKULAM.

BY ADV. SRI.M.SREEKUMAR

RESPONDENTS:
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1. STATE OF KERALA REPRESENTED BY
SECRETARY TO GOVERNMENT,
AGRICULTURAL DEVELOPMENT
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE KERALA STATE HORTIUCLTURAL PRODUCTS
DEVELOPMENT CORPORATION ," UDAYAGIRI,
POOJAPPURA PO,THIRUVANANTHAPURA 695 012,
REPRESENTED BY ITS MANAGING DIRECTOR.

3. THE MANAGING DIRECTOR
KERALA STATE HORTIUCLTURAL PRODUCTS
DEVELOPMENT CORPORATION ," UDAYAGIRI,
POOJAPPURA PO,THIRUVANANTHAPURA 695 012.

BY ADV.SMT.SUNITHA VINOD - STANDING COUNSEL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

W.P.(C).No.34501 of 2007 G

Dated this the 22nd day of November, 2007.

JUDGMENT

Petitioners claim that they have been working in different categories under the 2nd Corporation since 1990. The petitioners contend that they are entitled to be regularised in service on account of the fact that they have been serving without break and also on account of the fact that they have been working there for the past more than 17 years. In fact, the petitioners' regularisation has been recommended by the 2nd respondent-Corporation as evidenced by Ext.P19 to the Government and the same is pending before the Government as evidenced by Ext.P20. In my view, the petitioners' case is covered by the decision of the Supreme Court in para 53 of the judgment in **Secretary of State of Karnataka v. Umadevi** {**2006(4) SCC 1**}**.**

2. Heard learned standing counsel for the 2nd respondent and the learned Government Pleader also.

The writ petition is disposed of directing the first respondent to consider and take appropriate decision on the petitioners' claim for regularisation as recommended in

Ext.P19 by the Corporation taking note of the earlier recommendations as well, after hearing the petitioners, as also a representative of the 2nd respondent, keeping in mind para 53 of the judgment of the Supreme Court cited supra, within two months from the date of receipt of a copy of this judgment.

Sd/-
(V.GIRI)
JUDGE

sk/

//true copy//

P.S. To Judge